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The situation in Afghanistan

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The situation in Afghanistan and its implications for international peace and security

Report of the Secretary-General

I. Introduction and overview

1. The present report is submitted pursuant to General Assembly resolution 63/18 and Security Council resolution 1868 (2009), in which the Council extended the mandate of the United Nations Assistance Mission in Afghanistan (UNAMA). In that resolution, the Council requested a report on developments in Afghanistan every three months. The present report reviews the situation in Afghanistan and the activities of UNAMA, focusing particularly on the elections, political developments and the deteriorating security situation since my previous report of 22 September 2009 (A/64/364-S/2009/475). Assistant Secretary-General for Peacekeeping Operations Edmond Mulet and I briefed the Security Council on 28 and 29 October, respectively, on the 28 October attack in Kabul that killed five United Nations personnel. On 30 October, I briefed the General Assembly on the attack and, on 6 November, I briefed the Council members on my visit to Afghanistan on 2 November.

II. Elections, political developments and human rights

2. Following the 8 September recount order of the Electoral Complaints Commission (see A/64/364-S/2009/475), my Special Representative engaged in more than two weeks of intense dialogue with both the Electoral Complaints Commission and the Independent Electoral Commission to forge an agreement between those two institutions on how to implement the order and address the suspected fraud in the 20 August presidential election. He considered it imperative to avoid a clash between the institutions, while setting in place a methodology that was sound and conformed to international best practices. On 24 September, the Independent Electoral Commission and the Electoral Complaints Commission

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agreed that the best modality for implementing the Electoral Complaints Commission order was to audit suspect ballots through statistical sampling. The Independent Electoral Commission administered the audit, with oversight by the Electoral Complaints Commission and in the presence of candidate agents and observers. Concomitantly, the Electoral Complaints Commission continued its investigations into other complaints received throughout the electoral process.

3. While leading presidential candidates Hamid Karzai and Abdullah Abdullah welcomed the audit in principle, they both had concerns with how the Independent Electoral Commission and the Electoral Complaints Commission would administer it, in particular with respect to the statistical methodology that would be used. As the audit process neared completion, both candidates and their representatives appeared increasingly sceptical about the process and the validity of its findings. My Special Representative and his team of electoral experts met regularly with both candidates to clarify the audit process, answer their questions and to ultimately allay their concerns.

4. On 19 October, the Electoral Complaints Commission announced that it had completed its work on the presidential elections, which included reviewing the audit process and making decisions based on the findings of the audit, adjudicating all complaints that could have a material effect on the final results and issuing its findings on ballot boxes that had been quarantined earlier by the Independent Electoral Commission. The quarantined boxes had triggered one or more of the fraud detection measures put in place by the Independent Electoral Commission with the assistance of the United Nations Development Programme Enhancing Legal and Technical Capacity for Tomorrow (ELECT) project, and therefore had to be further investigated. The boxes were subsequently referred by the Independent Electoral Commission to the Electoral Complaints Commission for investigation. The Electoral Complaints Commission delivered its findings to the Independent Electoral Commission for implementation and for the certification of final results from the first round of voting in the presidential election.

5. The preliminary results, when adjusted on the basis of the Electoral Complaints Commission decision, showed that no candidate had obtained over 50 per cent of the vote, thereby triggering the need for a second round. Allegations were raised by the supporters and campaign team of President Hamid Karzai that such a decision was the result of foreign interference, signalling that the results might not be accepted. This position led to a flurry of high-level diplomatic negotiations, conducted in particular by United States Senator John Kerry and my Special Representative, to encourage the candidates and all relevant stakeholders to support the conduct of the electoral process in accordance with the Afghan Constitution. On 20 October, President Karzai held a press conference announcing that he would take part in a presidential run-off vote, if one were needed.

6. On 21 October, the Independent Electoral Commission announced that President Karzai had received 49.67 per cent of the total valid votes (a decrease of 4.95 per cent from the preliminary results) and Dr. Abdullah received 30.59 per cent of the total valid votes (an increase of 2.8 per cent from the preliminary results). With no candidate receiving more than 50 per cent of the votes, the Independent Electoral Commission announced that a second round of elections was required and would be held on 7 November. All previously accredited candidate agents, as well as domestic and international observers, would have the right to observe the second

round. Even before this announcement, the Independent Electoral Commission, supported by the United Nations Development Programme ELECT project, had begun operational preparations for a possible second round, ordering ballots and distributing materials to regional centres.

7. On 22 October, UNAMA and the Afghan Independent Human Rights Commission issued their third joint political rights monitoring report on the 20 August elections, covering the period from 1 August to 21 October 2009. It noted that the overall security situation during the reporting period, including a high number of attacks and other forms of intimidation on polling day, had influenced the decision of the Afghans on whether or not to vote and had resulted in lower participation than in previous elections. The report also noted that Afghan women had demonstrated an increased interest in political matters, but had voted in much fewer numbers than men. Proxy voting, underage voting and the use of multiple registration cards by voters occurred in parts of the country. A large number of allegations regarding electoral fraud and irregularities, related mainly to ballot box stuffing, were made, particularly in the central, southern, eastern and south-eastern regions.

8. On 26 October, Dr. Abdullah announced a set of conditions for his participation in the second round, including the dismissal of Independent Electoral Commission Chairman Azizullah Ludin, the removal of additional election officials, governors and police chiefs and the suspension of three cabinet members. Dr. Abdullah stipulated that the conditions needed to be met by 31 October. The Independent Electoral Commission and President Karzai rejected the conditions. On 1 November, Dr. Abdullah announced that he would not participate in a second round of the presidential elections, stating that the conditions were not conducive to free and fair elections and highlighting that none of his conditions had been met. Dr. Abdullah indicated that he would not join any Government coalition, but would continue to work in the interest of the Afghan people.

9. On 2 November, I visited Afghanistan, where I met with President Karzai and Dr. Abdullah and noted the need to bring the electoral process to a conclusion in a legal and timely manner. The same day, the Independent Electoral Commission declared Hamid Karzai, the sole candidate in the run-off election, as the President-elect for a second term of five years. Pursuant to its authority under article 156 of the Afghan Constitution, the Independent Electoral Commission based its decision on article 61 of the Constitution, according to which a second round can only be held between the two leading candidates from the first round. The Independent Electoral Commission has also taken into account additional considerations, such as financial costs, timing and security. The announcement sparked celebrations by the supporters of President Karzai in a number of provinces across the country. Dr. Abdullah held a press conference during which he stated that the Independent Electoral Commission decision had no legal basis, but he did not challenge the Commission's ruling in court.

10. With respect to the provincial council elections, as at 12 December, the Electoral Complaints Commission had formally delivered all 34 provincial council decisions to the Independent Electoral Commission, thus allowing the Independent Electoral Commission to certify the results. The Independent Electoral Commission is also in a position to begin conducting elections of the provincial council members to the Meshrano Jirga. In total, 3,339 candidates ran for a total of 420 provincial

council seats. Overall, turnout was assessed by the Independent Electoral Commission to be higher for the provincial council vote than for the presidential vote. The Independent Electoral Commission has conducted audits and recounts of the preliminary results for the Nangarhar, Kandahar, Ghazni and Paktika provinces. Following the release of the preliminary results, provincial council candidates across the country complained of discrepancies in results, and, in certain cases, bias in favour of a particular tribe or ethnicity. Dissatisfaction and resentment were also expressed with respect to delays in the issuance of the final results.

11. Several international and domestic entities that had participated in observing the presidential and provincial council elections are completing their final reports and findings. Initial indications suggest that there is an emerging consensus among both local and international experts on the need for reform of the electoral system before the 2010 elections (parliamentary, district and mayoral) and future electoral processes in Afghanistan, including a review of the appointment mechanism of Independent Electoral Commission commissioners to ensure its impartiality, as well as a review of how to build sustainable structures for the organization of elections, how to further improve the voter registration system, how to further develop domestic observation and how to strengthen the legal framework for elections. The current debate centres on the degree of reform to be achieved in time to hold elections in 2010 since some of these improvements will take at least one year to implement. Ultimately, it will be for the relevant Afghan authorities to decide on a viable solution.

12. Upon the certification of the presidential election results in favour of Hamid Karzai, dignitaries from several donor and troop-contributing countries issued congratulatory statements to the President. At the same time, most statements, including those of the United Nations, encouraged the re-elected President to form a competent Cabinet with reform-minded ministers, to improve governance and to root out corruption. Given the irregularities experienced in the 2009 presidential election, the newly appointed Government will have to demonstrate its legitimacy by the manner in which it delivers on its commitments.

13. On 19 November, Hamid Karzai was inaugurated as President for a second five-year term in a ceremony attended by numerous Afghan and international dignitaries. In his inauguration speech, President Karzai spoke of national unity and reconciliation and of opening a new chapter in the cooperation between Afghanistan and its international partners, and stated that the Government of Afghanistan was committed to end the culture of impunity and to bring to justice those involved in corruption. On 19 December 2009, President Karzai nominated 23 candidates to the Cabinet, which consists of 25 ministers. Under the Afghan Constitution, all nominated ministers must receive a vote of confidence from the Wolesi Jirga (lower house). The Wolesi Jirga delayed its scheduled recess in anticipation of an announcement by President Karzai of a new Government and continues the debate on the Cabinet. On 23 November, the office of the Attorney General announced that two Cabinet officials and 12 former ministers were under investigation for alleged embezzlement.

14. Tensions in the run-up to the finalization of the presidential election results negatively affected the functioning of the Government at the national and subnational levels and had an impact on the investment climate. A number of banking institutions reported an increased withdrawal of money from private

accounts. Embassies in Kabul noted a large increase in applications for visas by Afghans, a sign of widespread public concern over economic and social security in the country.

15. Demands for the commencement of a peace process and reconciliation became a common political slogan. In his inaugural speech, President Karzai noted that national reconciliation was at the top of Afghanistan's peacebuilding agenda and invited dissatisfied Afghans not directly linked to international terrorism to return to Afghanistan. President Karzai reiterated that talks with the armed opposition, including the Taliban leadership, should become the first major political initiative that he intends to launch immediately after the confirmation of the new Government by the Parliament. Localized reintegration activity saw some progress. Reports indicate that, in the Pashtun Zarghun district of Herat, 57 men loyal to anti-Government elements had surrendered to authorities. In the Qala-e-Zal district of Kunduz, an illegal armed group of 12 men also laid down their weapons. Similarly, 26 anti-Government elements in Paktika, 24 in Ghazni and 51 in Baghlan declared their intent to renounce violence. In all these cases, the reconciled elements requested employment in the Afghan National Police or community police.

16. During the reporting period, the Afghan Parliament continued legislative activity. During this time, the Wolesi Jirga passed the Counter-Terrorism Law, Antitrust Law and Firearms Law and approved the amendments to the six-month State budget. A draft law on the elimination of violence against women, endorsed by presidential decree on 19 July, concomitant with the amended Shia Personal Status law, still awaits endorsement by Parliament. The draft law on the elimination of violence against women criminalizes sexual violence, including rape, forced and underage marriage, forced labour and prostitution. It represents a step forward in responding to and preventing violence against women and girls. UNAMA presented a series of possible amendments to the law to the Parliamentary Commission on Women and Civil Society. These and other proposals are now under review by the Parliament. It still remains unclear whether the draft law would take precedence over the Shia Personal Status law.

17. Sayed Pervez Kambaksh, a journalism student sentenced to death on charges of blasphemy in 2007, later commuted to 20 years imprisonment, received a presidential pardon in August 2009 and was taken out of the country during the reporting period. His case received a high level of attention both inside and outside of Afghanistan.

III. Security and security sector reform

18. The security situation in Afghanistan has worsened over the reporting period, with an average of 1,244 incidents per month in the third quarter of 2009. This represents a 65 per cent increase over the incidents in 2008. Armed clashes, improvised explosive devices and stand-off attacks constituted the majority of incidents. Improvised explosive device incidents were 60 per cent higher than in 2008. Insurgents increasingly used improvised explosive devices triggered by pressure plates, which respond to any passing vehicle. This has led to an increased risk for the United Nations in road travel and has caused an increase in civilian casualties. Geographically, insurgent violence increased in the northern provinces of Kunduz and Baghlan, destabilizing two previously peaceful provinces.

19. UNAMA recorded 784 conflict-related civilian casualties between August and October 2009, up 12 per cent from the same period in 2008. Anti-Government elements remain responsible for the largest proportion of civilian casualties (78 per cent of the total), of whom 54 per cent were victims of suicide and improvised explosive device attacks. The increased reliance of anti-Government elements on improvised explosive device attacks has demonstrated an apparent disregard for the loss of civilian life. However, it is encouraging to see that certain positive steps have continued to be taken by the Government and its international military partners to reduce the impact of military operations on the civilian population.

20. The civilian population suffered from intimidation and threats aimed at discouraging people from participating in the second round of the presidential elections initially planned for 7 November. Insurgents followed up their threats with abductions and assassinations, targeting community leaders and clerics in particular. Such tactics do not only discourage the population from cooperating with the Government but also destroy social structures and the traditional security mechanisms provided by local communities.

21. The limited ability of the Government to deliver basic services to the people was further affected by the upsurge in violence and the expansion of the insurgency, widening the gap between the Government and its people. Local government administrations in provinces that have a considerable insurgent presence, such as Badghis, Kapisa, Khost and Uruzgan, had to decrease movements and access to areas outside the provincial capitals. In many areas, movement outside the provincial capitals was dependent on international military air transport. At the district level, where insurgents are active, the Government presence was generally limited to an area surrounding the district centres. In addition, particularly in the most remote districts, the local administration has limited financial and human resources to carry out even the most basic Government functions. Many of these district centres are only protected by a small number of Afghan National Police, who have continued to be the main target and therefore suffer the highest casualties from insurgent attacks. Insurgents increasingly capitalized on the limited Government presence by instituting shadow provincial administrations, collecting taxes, administering "justice", resolving land disputes, executing alleged criminals and enforcing conservative social habits.

22. The deteriorating security environment also had an impact on the delivery of aid. Attacks against the aid community slightly increased in the reporting period, making them a nearly daily occurrence. The protection of aid workers provided by the local communities was undermined by frequent attacks against community leaders. On average, the insurgents assassinated nine people per week in the third quarter of 2009, one of whom on average was a community leader. The continuing high rate of direct intimidation of national staff working for the aid community, including the United Nations, continued to pose obstacles to programme delivery. In the south, south-east and east, isolated reports were received regarding Government officials being forced to bribe insurgent commanders in order to facilitate the continued operation of schools and allow for the implementation of certain development projects. This highlights the heightened ability of the insurgents to exert their authority and influence over the implementation of development activities.

23. The reporting period was also marked by a dramatic deterioration in security, with the return of suicide attacks in Kabul, whereas there had been no such attacks between 15 March and 15 August 2009. The deployment of an additional 5,000 policemen in the nine square kilometres forming the centre of Kabul (the "Ring of Steel") provided only limited relief. Five suicide attacks with vehicle-born explosives were conducted by insurgents inside that area in August and September. Incidents inside the "Ring of Steel" increased to the levels experienced in 2008. However, several attacks in the capital were also prevented owing to the efficient work of Afghan security institutions with international assistance.

24. The security of United Nations staff was seriously affected by the direct and deliberate attack in the early morning of 28 October against a guest house in Kabul, in which over 30 United Nations personnel resided. This attack, for which the Taliban claimed responsibility, killed five staff members and wounded five. Only the truly heroic acts of United Nations security personnel who lived in the guest house, two of whom were killed in the line of duty, prevented further casualties. This incident followed several other Taliban attacks carried out over the past 14 months that affected United Nations personnel or premises, in the form of improvised explosive devices, ambushes or stand-off attacks on offices. Among these incidents were a suicide attack against a United Nations convoy in Spin Buldak in September 2008, improvised explosive device attacks against United Nations vehicles in Uruzgan and Parwan in May and June 2009, respectively, and four rocket attacks against United Nations premises in Herat during 2009. The 28 October attack was similar to the complex suicide attacks that have increasingly targeted Government installations, as noted in my previous reports (A/63/892-S/2009/323 and A/64/364-S/2009/475). This tragic attack has increased the level of risk exposure of the United Nations, and has forced the United Nations in Afghanistan, including UNAMA, to temporarily relocate some staff outside of Afghanistan (see para. 39 below).

25. There are currently no indications that the security situation at the end of 2009 and in early 2010 will improve. To reverse the downward trend, the new Government will have to show resolve in implementing a political reform that addresses the root causes of the insurgency, including through efforts aimed at improving governance and an Afghan-led political process to re-establish peace. Without such reforms and the combined, intensified efforts of the international community, the insurgency is unlikely to show signs of abating, and a resolution to the conflict will remain elusive.

26. Another key element to ensuring long-term stability in Afghanistan is the planned increase in the quality and number of the Afghan National Police and Afghan National Army personnel, including through institutional reforms. A consensus has belatedly emerged among relevant Government institutions and international stakeholders regarding the need for the Afghan National Police to fulfil both counter-insurgency and law enforcement tasks. To this end, the Afghan Minister of the Interior has presented a plan for restructuring the Afghan National Police that aims to establish an Afghan gendarmerie while strengthening the community police and other specialized units.

27. The Community Defence Initiative, launched by the United States military and currently implemented by the Directorate for the protection of public spaces and highways through tribal support, offers some opportunities for using local security

forces as a means to combat the insurgency and as a stabilization programme. It is foreseen that community-based development funds will be provided by the Community Defence Initiative for those areas where the initiative is deemed successful. Resources are to be distributed through a trust fund supported by international partners. Modalities for the trust fund have yet to be worked out, including institutional oversight and implementation. It is planned that the Ministry of Rural Reconstruction and Development will be one of the Government partners for implementation in the long term.

28. It is critical that all of these newly emerging initiatives be underpinned by internal governance reforms and supported by adequate training, including by civilian policing experts within the North Atlantic Treaty Organization training mission and the European Union police mission. A clear framework to define the roles and functions of the various Afghan security forces is yet to be developed.

IV. Aid effectiveness, donor coordination and development

29. As noted in my previous report (A/64/364-S/2009/475), the Government and the international community have identified the need to significantly refocus the Afghan National Development Strategy in order to improve its implementation. The Government has decided to focus principally on projects that stimulate economic growth so as to improve revenue collection and create job opportunities. UNAMA strongly supports this approach, which demonstrates a commitment by the Government to sustaining its own future when the international community's presence and funding is eventually reduced.

30. To achieve this objective, the Ministry of Finance proposed implementing the Afghan National Development Strategy by concentrating on three strategic areas: agriculture and rural development; human resource development (skills training); and infrastructure and economic development. This may be supplemented by governance as a fourth critical area. UNAMA has been working with key donor countries to encourage funding for those strategic areas in their next budget cycles.

31. In the areas of donor coordination and aid effectiveness, UNAMA is stretching its limited resources to support the Government's refocusing and restructuring efforts, to assist Ministries in developing and executing new programme initiatives in key sectors and to coordinate donor support for these processes. There are also increasing demands on UNAMA from the international community to improve coordination in areas outside of the current focus on economic development, such as regional cooperation. Further, the growing role of the International Security Assistance Force, particularly in the civilian areas of development, such as governance and capacity-building, also requires new substantial coordination efforts. However, the departure of previously provided experts working with ministries, as well as difficulties in identifying and recruiting qualified new staff, seriously hamper the capacity of the Mission to respond effectively.

32. The Resident Coordinator and the Minister of Economy launched the United Nations Development Assistance Framework on 22 October, marking United Nations Day. The representatives of various ministries welcomed the new approach and the commitment to a "Delivering as one" United Nations model, based on alignment with Government priorities and focused on key provinces. The selection of the key provinces, which will be supported by a United Nations common fund, is

based on two criteria: relative security and underfunding to date. The United Nations country team further demonstrated its capacity to work cooperatively on key issues, which resulted in the signing of agreements for two new joint programmes. On 27 October, the Government of Afghanistan and five United Nations agencies signed the agreement for the "Youth for Afghanistan's future" project, which provides the youth in rural areas with alternatives to joining the insurgency. The agreement for the second joint programme, "LEARN", was signed on 11 November by the Government of Afghanistan and eight United Nations agencies and aims to increase functional literacy.

33. During the reporting period, farmers in southern Afghanistan prepared their fields for opium cultivation to be harvested in early 2010. The opium poppy planting season in the northern provinces begins later in the year. Instability and insecurity have enticed farmers and traders to stockpile wet opium as a secure investment for troubled times. This trend has the potential to undo the market-driven decline in acreage of opium poppy fields seen over the past two years. Although opium prices remain low compared to previous years, a recent new increase in price has been registered. On 21 October, the United Nations Office on Drugs and Crime launched its report entitled "Addiction, crime and insurgency: the transnational threat of Afghan opium", describing how the flows of Afghan opiates are distributed in the world and analysing the extent to which regional insurgency or instability is fuelled by the Afghan opiate industry.

34. Polio remains a major health concern in Afghanistan. From January to October 2009, a total of 24 confirmed polio cases were reported, mainly in the south. During the United Nations Peace campaign, 1.2 million children were vaccinated against polio. The Taliban committed to not attacking vaccination teams, allowing the programme to get to areas that had been inaccessible in previous years. Nonetheless, 3 per cent of the target group was not reached, mainly as a result of ongoing fighting.

35. As of mid-November, 54,272 individuals had been assisted in their return to Afghanistan, mainly from Iran (Islamic Republic of) (5,758), Pakistan (48,320) and other countries (194). In 2009, the repatriation of Afghans from neighbouring countries was considerably lower than in 2008. The stated destinations of returning Afghans from Pakistan were the northern region (30 per cent), the eastern region (29 per cent) and the central region (27 per cent). Afghans destined for the southern, south-eastern, western and central highland regions constituted 14 per cent of the returnees from Pakistan. Insecurity and lack of employment opportunities in Pakistan, as well as an increase in violence in the southern and eastern provinces of Afghanistan bordering Pakistan, were cited as major factors influencing their decision as to whether or not to return to Afghanistan. The Office of the United Nations High Commissioner for Refugees (UNHCR) is making initial arrangements to assist some 165,000 returnees from neighbouring countries in 2010.

36. At the end of October, UNHCR estimated that a total of 275,945 persons had been internally displaced in Afghanistan, including both new and protracted displacements. This requires an additional response capacity by the already over-stretched humanitarian community.

V. Mission support and expansion of the United Nations Assistance Mission in Afghanistan

37. Despite the deteriorating security situation, the 20 regional and provincial offices of UNAMA continued to generate opportunities for political outreach and maintained wide-ranging networks among politically influential local actors, as well as with elements that felt disenfranchised from the Government. They also continued to encourage other international aid providers to deliver much-needed assistance in underserved provinces and provided a platform for the United Nations system to pursue their programme activities in a coordinated manner. UNAMA field offices advised provincial councils on formulating development plans and priorities and maintained close contact with the provincial reconstruction teams of the International Security Assistance Force regarding local needs and priorities. International and national stakeholders, including the local population in particular, have expressed appreciation for the role played by the Mission field offices.

38. In my previous report (A/64/364-S/2009/475), I updated the Security Council on the planned opening of new provincial offices in 2009, as well as on the proposed opening of additional offices in 2010. The 28 October attack and its aftermath absorbed much of UNAMA mission support capacities and caused a delay in the opening of the offices. The provincial office in Farah has been set up and staffed as planned. The target opening date for the offices of Jawzjan and Takhar is targeted for early 2010.

39. Following the 28 October attack on a guest house in Kabul where United Nations staff resided, a decision was taken to temporarily relocate some United Nations personnel within Afghanistan as well as to other duty stations, pending the identification of secure residential premises for all staff. Since the incident, an average of 340 United Nations international personnel have temporarily been relocated outside of Afghanistan, of whom approximately 70 are UNAMA staff, almost all from mission support units. UNAMA regional and provincial offices were not affected by the temporary relocation and are operating normally, with the exception of the Kunar provincial office where international staff have temporarily been relocated. Some UNAMA field offices have recently reported even higher levels of activity, despite the security restrictions. However, following direct or indirect attacks on United Nations personnel and premises throughout 2009, all UNAMA offices are implementing special precautionary measures aimed at strengthening their safety and security. These measures include a review of emergency plans and associated training, enhanced fortification of compounds, the closing of guest houses that do not meet security requirements, an increase in the number of external guards, introduction of international armed security guards, exclusive use by the United Nations of armoured vehicles on vulnerable roads, reliance on air transport wherever possible and restrictions on road travel.

40. I have stated on numerous occasions that the United Nations would not be deterred and would remain committed to continuing its work in the country; over 6,000 United Nations national and international personnel remain on the ground. The United Nations plays an important role in Afghanistan and has the support of the Afghan people to continuing it. At the same time, however, the fact that the 28 October attack was the most serious perpetrated against the United Nations in Afghanistan in over half a century cannot be overlooked.

41. A significant part of what was, and still is, required for UNAMA operations in Afghanistan is already included in the UNAMA 2010 budget proposal, which was planned before the attack on the guest house in Kabul on 28 October 2009. That proposal includes: (a) strengthening of the number of current UNAMA security section personnel, including for the six new offices proposed for 2010; (b) an enhanced Close Protection Unit in terms of officers, equipment and training; (c) internal private armed protection for existing and projected UNAMA offices in risk and medium-risk areas; (d) blast protection assessments for UNAMA locations; (e) security services, equipment and access control for existing and projected UNAMA offices; (f) the contribution of UNAMA to the "Closing the security gap" project, which essentially aims at drastically improving the recruitment, performance, equipment and training of Afghan forces appointed to provide external armed security to UNAMA offices and accommodation premises; and (g) an enhanced security training programme. UNAMA security requirements, as outlined in the 2010 budget proposal, also include engineering equipment and material for basic blast protection for existing and projected UNAMA offices, B6 armoured vehicles, technical equipment to implement a security information operation tracking system and additional air assets to meet the increasing demand for such travel and to be pre-positioned in key locations within the country for emergency purposes.

42. The 2010 budget of UNAMA, which included the above-mentioned proposals, was thus of paramount importance. As a special political mission, requirements for UNAMA were included in the overall special political mission budget, which has been approved, with some cuts. The Mission will have to maintain and develop programme delivery with fewer resources than planned, in increasingly challenging security conditions and in a more demanding political environment.

VI. Observations

43. The controversial 2009 elections undermined confidence in Afghanistan's leadership and affected international support for the engagement in Afghanistan. However, it ultimately yielded a result that was acceptable to Afghans and respected Afghanistan's laws and institutions. Most of the reporting and analysis on the elections have focused on the flaws of the electoral process itself. Some have even argued that the process was so flawed that it had condemned the state-building process to failure. This is incorrect. Rather, it is the weaknesses in the state-building process so far, including the ongoing culture of impunity, the still inadequate security forces, corruption and the insufficient pace of institution-building, that undermined the electoral process.

44. The elections were a revealing snapshot of what has not been achieved in Afghanistan. Despite the flaws, however, this is not a reason to abandon what has been achieved and what must now be built upon.

45. It is also important to clarify what did work in the electoral process. Fraud was widespread, but it was detected and addressed by the institutions created under Afghan law to do so. The 6 September decision by the Independent Electoral Commission to accept all votes in its preliminary count, even those that showed clear signs of being fraudulent, despite the urging of my Special Representative not to do so, was undoubtedly an institutional failure. However, the subsequent order by the Electoral Complaints Commission to the Independent Electoral Commission to

audit those votes, and the compliance of the Independent Electoral Commission with that order, corrected the failure. The creation of a robust Electoral Complaints Commission, at the recommendation of my Special Representative earlier in the year, while others proposed a leaner structure, was intended precisely to address such a situation. During the audit, the United Nations mobilized the required expertise to assist the Independent Electoral Commission in this complex exercise and worked closely with both the Independent Electoral Commission and the Electoral Complaints Commission to avoid a clash between the two institutions. My Special Representative, in the meantime, maintained a constant dialogue with the main political actors in order to ensure that they fully understood the process and to encourage them to respect its outcome. The stakes were tremendously high for all involved, in particular for the two remaining candidates: for President Karzai to accept a second round; and for Dr. Abdullah to accept a result from a process that had evident flaws and which gave him legitimate grounds to contest.

46. The flaws turned the elections into a political crisis, as has happened elsewhere in the world. The political crisis risked becoming a constitutional crisis, the effects of which could have generated immense political instability, jeopardizing every effort made and every sacrifice borne since the Bonn Agreement. The precariousness of the situation was presented in a thoughtful report issued recently by the Afghanistan Research and Evaluation Unit, which, on the basis of a survey conducted throughout the electoral process, revealed that many Afghans feared that the process would lead to a renewed civil war, as had occurred in 1992 when the political consensus among Afghanistan's leaders broke down.

47. The resolution of the crisis required great diplomatic skill by all involved, in particular by my Special Representative, Senator Kerry, and the members of the diplomatic community in Kabul, who were consulted constantly, who endorsed each decision made by my Special Representative and who in their own ways contributed to the successful resolution of the crisis. It is a tribute to these skills that, as the crisis reached its resolution, both candidates expressed their gratitude to and their confidence in my Special Representative.

48. The electoral process has absorbed tremendous political energy during the past half year. It has revealed serious flaws and weaknesses that need to be corrected before the United Nations can engage in a similar supporting role for future elections. Together with the deteriorating security situation, the protracted electoral process has contributed to a gloomy atmosphere. If the negative trends are not corrected, there is a risk that the deteriorating overall situation will become irreversible. We cannot afford this.

49. To reverse the negative trends, a more focused and better coordinated international effort, within the framework of a strategy of transition, is urgently required. The speech of President Obama on 1 December and the International Security Assistance Force foreign ministers meeting held on 4 December represented the first steps towards formulating this strategy, with the emphasis on building up the Afghan National Security Forces and the gradual handover of responsibility for security to Afghanistan's own authorities. This must now be followed up at the International Conference on Afghanistan to be held in London on 28 January and a subsequent conference to be held in Kabul. It will require commitments both by the Government of Afghanistan to implement reforms and set firm priorities and by the international community to assist in developing programmes and provide resources to implement them. This applies to the build-up of security forces and civilian institutions as well as economic development.

50. We are now at a critical juncture. The situation cannot continue as is if we are to succeed in Afghanistan. Unity of effort and greater attention to key priorities are now a sine qua non. There is a need for a change of mindset in the international community as well as in the Government of Afghanistan. Without that change, the prospects of success will diminish further.

51. My strong appeal both to the Government of Afghanistan and to the international community is therefore to make the best possible use of the next months in a concerted effort to focus on agreed priorities and to coordinate in a way that avoids waste of resources and is impact-oriented.

52. There is a need for a reinforced international coordination structure in Afghanistan under a United Nations umbrella. While my Special Representative maintains overall responsibility for the coordination of international civilian efforts, UNAMA has to be strengthened with staff who have the required experience and are able to engage better in discussions with key donor Governments and embassies in Kabul. In this regard, my Special Representative also believes that appointing a senior civilian official within the International Security Assistance Force would help to improve coordination of its political and development efforts, in particular by the provincial reconstruction teams, so as to ensure their greater adherence to Afghan plans and priorities across provincial borders.

53. To further enhance the coordination of civilian efforts, the viability of a dedicated civilian structure is being explored in consultation with the Government of Afghanistan and international stakeholders. If established, such a structure should be co-chaired by an Afghan minister and my Special Representative, with the participation of the International Security Assistance Force, the European Union, the World Bank and the major donors.

54. I believe that in order to be successful, any form of international coordination must be properly linked to the Government of Afghanistan. Thus, a reinforced and dedicated civilian coordination structure would, in addition to encouraging leading donors to engage more in coordination and in facilitating the coordination mandate of UNAMA, better contribute to the gradual transfer of authority to the Government, so that it could ultimately have the authority for overall coordination and ensure compliance with its own programmes and priorities. This is the main objective of a transition strategy. Such an approach has my support.

55. Notwithstanding the need for an enhanced coordination architecture, the main obstacle to better coordination is not the lack of structures. It results partly from a lack of sufficient resources, but mainly from a lack of political readiness in donor countries to adapt their thinking to meet the principal requirements of building sustainable institutions that can deliver services to the Afghan people and of developing an economy that can gradually carry more of the responsibility for the well-being of its people. If the international community were to continue along a course of substituting local capacity, rather than of capacity-building, the result would be entrenchment and ultimately failure.

56. The past few months have been difficult ones for all who have engaged in Afghanistan. I thank my Special Representative for his strong and effective leadership, and the men and women of UNAMA for their dedication and commitment in a difficult and challenging environment.

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General Assembly
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Agenda item 5
Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Sixty-fourth year

Letter dated 28 December 2009 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General

As the world celebrates the birth of Jesus Christ, the messenger of peace and love to humanity, Israel, the occupying Power, continues to impose its collective punishment and punitive measures against the Palestinian people. Bethlehem, besieged by Israel's illegal Wall and settlement regime, is also being systematically isolated and disconnected from Palestinian Christians and pilgrims from around the world by illegal and brutal Israeli policies and practices, including measures of collective punishment in grave breach of the Fourth Geneva Convention.

Palestinian civilians in the Gaza Strip remain trapped and forced to endure one more holiday and the start of yet another year under the illegal, unjust and inhumane blockade. This Christmas, Israel, the occupying Power, granted permits to less than 20 per cent of the Palestinian Christians in the Gaza Strip who wanted to exercise their right to worship and to visit their holy sites in Bethlehem and Jerusalem on this important religious occasion. Only a fraction of the barely 400 Gazans granted permits were let out of Gaza in the end.

Palestinian Christians in the West Bank are also suffering similarly. Barely 30 per cent of those who applied for a permit to visit Jerusalem during the holiday were allowed. Israel's continued violation of Palestinians' basic rights, including the freedom of worship, should be loudly condemned by the international community, and demands must be made upon the occupying Power to abide by all of its legal obligations and to cease violations of the human rights of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem.

Palestinians, Muslims and Christians should not need to apply for a permit to visit their holy sites in their own homeland. This practice, which is increasingly becoming more punitive, is part of Israel's systematic policy aimed at keeping Palestinians disconnected from one another, denying them their freedom of movement and their basic rights to worship and assemble, which has been cumulatively shredding the very foundations of the society over the many long years of this brutal occupation.

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Israel, the occupying Power, also launched yet another repressive campaign earlier this month against activists in peaceful, popular demonstrations of resistance and protest against the illegal Wall and settlements. This campaign included the arrest of a number of activists of the Popular Committee to resist the illegal Wall and settlements in different areas of the Occupied West Bank, including East Jerusalem.

On 10 December 2009, the Israeli occupying forces arrested Abdullah Abu Rahmah, a schoolteacher and coordinator of the Bil'in Popular Committee against the Wall and Settlements, which has carried out a five-year campaign of non-violent protest and legal challenge against the Wall. A large number of Israeli occupying forces stormed the Al-Tira neighbourhood of Ramallah and raided the house of Abu Rahmah and took him to an unknown location. He was indicted by an Israeli court on 22 December 2009 on several counts stemming from his leadership role in the Popular Committee. Since June 2009, 31 residents of Bil'in have been arrested by Israeli occupying forces.

On 29 July 2008, 10-year-old Ahmad Husam Yousef Mousa was killed by the Israeli occupying forces while he was running as they opened fire on demonstrators against the Wall in Ni'lin. On 17 April 2009, Bassem Abu Rahmah (30 years old) was killed during a demonstration in the village of Bil'in. He participated in the weekly protest against Israel's annexation Wall and was shouting at the Israeli occupying forces, "We are in a non-violent protest, there are kids and internationals". He could not continue his scream and was shot in the chest and killed by the Israeli occupying forces with a new kind of tear gas canister ("the rocket").

On 15 December 2009, Israeli occupying forces arrested Jamal Juma', one of the leaders of the Popular Campaign against the Wall and Settlements, and a member of the Palestinian National Committee for the Register of Damage caused by the Illegal Wall, at the Qalandiya checkpoint, north of Occupied East Jerusalem. After hours of interrogation, Israeli occupying forces handcuffed Mr. Juma' and took him back to his home on Jabal Al-Mukaber (Mount Scopus). As his wife and three children watched in horror, the Israeli occupying forces searched Mr. Juma's home for two hours, and confiscated his computer and private mobile phone. As they were leaving the house, one Israeli soldier threatened Mr. Juma's wife by saying that they will not see him again. Mr. Juma' was then transferred to Almaskubia detention centre, where he remains detained without charge. The Israeli occupying forces also detained Mohammed Othman, coordinator of youth activities in the protest campaign against the Wall and the settlements and a number of other non-violence activists.

On 17 December 2009, Israeli occupying forces raided the house of 18-year-old Salam Kanaan in Ramallah, under the pretext of searching for the original version of the videotape that she filmed on 7 July 2008, which documents an Israeli soldier, in the presence of his commander, shooting a detained Palestinian civilian, Ashraf Abu Rahmah, who was handcuffed and blindfolded, in Ni'lin village west of Ramallah.

In addition to these illegal, brutal and oppressive actions, Israel has also continued innumerable other acts of military aggression against the Palestinian people in a deliberate attempt to further destabilize the fragile situation in the Occupied Palestinian Territory, including East Jerusalem, and reignite the deadly

cycle of violence between the two sides, and in order to evade the increasing international pressure on the Israeli Government and to camouflage its responsibility for obstructing the efforts to revive the peace process.

On Saturday, 26 December 2009, Israeli occupying forces killed six Palestinians in two separate attacks. In Nablus, in the occupied West Bank, Israeli occupying forces stormed the city in the early hours of the day and assassinated Ra'ed Al-Sarkaji, Ghassan Abu Sharkh and Anan Subih in cold blood. Prime Minister Salam Fayyad affirmed that this operation was a dangerous escalation targeting the security and stability achieved by the Palestinian Authority in the West Bank. In Gaza, on the eve of the first anniversary of Israel's brutal, ruthless and destructive war against the Gaza Strip, Israeli occupying forces shot and killed three Palestinians near the Beit Hanoun crossing. The three were identified as Mahmoud Al-Sharat'ha, Hani Abu Ghazal and Bashir Abu D'heil, all in their early twenties.

The international community, including the Security Council, has clear responsibilities in this regard and must stand firm and take urgent measures to redress this grave situation and bring an end to Israeli violations of international law, including humanitarian and human rights law. Israel should not be allowed to continue to enjoy impunity. It must be held accountable for its war crimes and violations and compelled to be in conformity with the laws and principles civilized nations and peoples live by.

This letter is in follow-up to our previous 351 letters to you regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, since 28 September 2000. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 14 December 2009 (A/ES-10/471-S/2009/662), constitute a basic record of the crimes being committed by Israel, the occupying Power, against the Palestinian people since September 2000. For all of these war crimes, acts of State terrorism and systematic human rights violations committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators must be brought to justice.

I should be grateful if you would arrange to have the text of the present letter distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Dr. Riyad **Mansour**
Ambassador
Permanent Observer of Palestine to the United Nations

United Nations S/2009/676

Security Council

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Letter dated 30 December 2009 from the Acting Chairman of the Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities addressed to the President of the Security Council

I have the honour to transmit herewith the report of the Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities containing an account of the Committee's activities from 1 January to 31 December 2009 (see annex). The report is being submitted in accordance with the note by the President of the Security Council dated 29 March 1995 (S/1995/234).

I would appreciate it if the present letter and its annex were brought to the attention of members of the Security Council and issued as a document of the Council.

(*Signed*) Christian **Ebner**
Acting Chairman
Security Council Committee established pursuant
to resolution 1267 (1999) concerning Al-Qaida and
the Taliban and associated individuals and entities

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Annex

Report of the Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities

I. Introduction

1. The purpose of the present report is to provide a factual summary of the Committee's activities during the period from 1 January to 31 December 2009 in accordance with the transparency measures outlined by the President of the Security Council in his note of 29 March 1995 (S/1995/234). The previous annual report of the Committee was submitted on 31 December 2008 (S/2008/848).

II. Background information

2. Following consultations among the members of the Security Council, the Council agreed to elect the Bureau of the Committee for 2009, which consisted of Ambassador Thomas Mayr-Harting (Austria) as Chairman, with the delegations of Burkina Faso and the Russian Federation providing the two Vice-Chairmen (see S/2009/2). The Committee was guided in the discharge of its mandate by Security Council resolution 1822 (2008), as well as other relevant resolutions. The Committee also benefited in its work from the United Nations Global Counter-Terrorism Strategy (see General Assembly resolution 60/288). The Committee was assisted by the New York-based Analytical Support and Sanctions Monitoring Team, established pursuant to resolution 1526 (2004), extended by resolution 1822 (2008) and further extended by resolution 1904 (2009), which worked under its direction.

III. Summary of the activities of the Committee

3. During 2009, the Committee continued its proactive approach to discharging its mandate and enhanced its role in countering Al-Qaida- and Taliban-related terrorism. Two formal and twenty-five informal meetings were convened during the reporting period. In February and July, the Committee approved its programmes of work, based on the requirements outlined in Security Council resolution 1822 (2008), and taking into account the list of pending issues before the Committee. The Committee also agreed to continuously update its programme of work to allow for flexibility and responsiveness in its work.

4. In 2009, one of the key priorities of the Committee was the review of the 488 names inscribed on the consolidated list as at 30 June 2008, pursuant to paragraph 25 of resolution 1822 (2008). The Committee also prioritized the task of making accessible on its website narrative summaries of reasons for including all entries on the consolidated list, as mandated by paragraph 13 of resolution 1822 (2008), as well as improving the quality of the information contained in the consolidated list.

Reviews pursuant to resolution 1822 (2008)

5. The Security Council, in its resolution 1822 (2008), directed the Committee to conduct several specific reviews of the consolidated list. In paragraph 22 of the resolution the Council called on the Committee to consider an annual review of individuals reported to be deceased; in paragraph 25, it called for the review of all names that appeared on the consolidated list as at 30 June 2008; and in paragraph 26 it called for an annual review of all names on the consolidated list that had not been reviewed in three or more years. After adopting guidelines in December 2008 for the conduct of these reviews (see sect. 9 of the guidelines), the Committee initiated the process for the review pursuant to paragraph 25 of all 488 names inscribed on the consolidated list as at 30 June 2008 and decided to implement the review of individuals reported to be deceased in the framework of the same review. The 488 names were subdivided into five groups ("batches") and letters were sent to the respective designating State(s) and State(s) of citizenship and/or residence/location for review. In these letters, States were requested to submit to the Committee, within a three-month period, any updated information on the reasons for listing, as well as any additional identifying or other information. Reviewing States were also requested to indicate whether they deemed that the listings remained appropriate. The review letters were sent to reviewing States in December 2008 and in February, May, August and November 2009.

6. Once the replies from the reviewing States are received, all information available is circulated to members of the Committee and the Monitoring Team for possible further input, within a one-month period. At the end of this process, the name is placed on the Committee agenda. In the course of the review, the Committee evaluates all available information and considers whether listing remains appropriate. It does so on the basis of the "associated with" criteria for listing set out in relevant resolutions. The Committee also considers updating the consolidated list and/or narrative summaries on the basis of the additional information provided. In cases where a member of the Committee determines that a listing is no longer appropriate, it may submit a de-listing request following the procedures set out in section 7 of the guidelines, and the Committee decides whether to remove a name under review from the consolidated list (see also para. 46 of the present report).

7. In May 2009, the first names were reviewed by the Committee, and since then, the Committee has put on the agenda and considered a total of 84 names on the consolidated list: in 56 cases the listing was confirmed to remain appropriate, while 9 names were removed from the consolidated list as a result of the review. The reviews of 19 names were pending at the date of this report: in some cases the Committee was of the view that further information was required prior to concluding its consideration.

8. The Committee keeps Member States and the public informed about the progress of the review by regularly including, in its notes verbales and press releases announcing updates to the consolidated list, the names for which the review has been concluded since the consolidated list was last updated. Entries on the consolidated list and narrative summaries of reasons for listing are also amended to reflect the date on which the review of a respective name was completed. In addition, the secretariat notifies the State(s) of citizenship and/or residence/location and designating State(s) of the completed review, in accordance with its guidelines.

Narrative summaries of reasons for listing pursuant to paragraph 13 of resolution 1822 (2008)

9. The Committee, having agreed on the modalities for making accessible on its website narrative summaries of reasons for listing of all entries contained in the consolidated list (as called for in para. 13 of resolution 1822 (2008)), has since made available 157 narrative summaries for 137 individuals and 20 entities, which have been posted on its website. Making these summaries accessible to the public further improves transparency and helps to address challenges to measures implemented by Member States in accordance with the provisions of paragraph 1 of the resolution. The Committee work on the remaining narrative summaries will be continued as provided for under paragraph 14 of resolution 1904 (2009), adopted on 17 December 2009.

Improvements to the consolidated list and its dissemination

10. Keeping the consolidated list of individuals and entities subject to sanctions measures as updated and accurate as possible promotes effective and universal implementation of the sanctions measures by Member States. The Committee strives to ensure that the consolidated list is dynamic and responsive to the evolving threat posed by Al-Qaida and the Taliban.

11. In total, the consolidated list was updated 22 times in 2009. By the end of the year, 503 individuals and entities were inscribed on the list. The Committee decided to add seven individuals to the list over the course of the year. Changes were approved with regard to 289 existing entries on the list. Two entries in the section entitled "Entities and other groups and undertakings associated with Al-Qaida" of the list were merged on the basis that both entries were referring to the same entity. The Committee acceded to the de-listing of 10 entries. Out of these, nine names have been de-listed as a result of their review by the Committee pursuant to paragraph 25 of resolution 1822 (2008). One name was removed as a result of the focal point process pursuant to resolution 1730 (2006). Six de-listing requests pertaining to seven individuals and five entities that the Committee received in 2009 are still under consideration. The Committee could not accede to 13 de-listing requests received in 2009. An account of listings and de-listings approved by the Committee in 2009 is attached to the present report (see appendix).

12. The Committee continued to issue a press release, transmit a note verbale and send a notification to contact points in permanent missions in New York and national capitals by e-mail following each update of the list. In accordance with paragraph 19 of resolution 1526 (2004), the secretariat also continued to transmit a hard copy of the list on a quarterly basis for the convenience of Member States. During 2009, the list was transmitted four times: on 30 March, 15 July, 23 October, and 30 December (SCA/2/09(11), SCA/2/09(20), SCA/2/09(27) and SCA/2/09(31)).

13. Pursuant to paragraphs 15 and 23 of resolution 1822 (2008), the Committee secretariat notified, within one week after a name was added to or removed from the consolidated list, the permanent mission of the State or States where the concerned individual or entity was believed to be located and, in the case of individuals, the country of which the person was a national, of the listing or de-listing of the individual or entity. Pursuant to paragraphs 18 and 27 of resolution 1904 (2009), the notification period will be reduced to three working days. The notification reminds relevant States that they are required to take, in accordance with their domestic laws

and practices, all possible measures to notify or inform in a timely manner the concerned individuals and entities of the Committee decision to add them to or remove them from the consolidated list, as well as provide them with relevant information.

14. In paragraph 14 of resolution 1822 (2008), the Council directed the Committee to update the cover sheet for listing included in annex I of resolution 1735 (2006). Following broad consultations, the Monitoring Team presented a first proposal to the members of the Committee in December 2008, and further revised proposals were discussed in the course of the year. The Committee adopted a new "standard form for listing" for the listing of individuals and entities in December 2009, which will replace the "cover sheet" and will be made available on the Committee website. The new standard form for listing also reflects new elements contained in resolution 1904 (2009).

15. Taking into account the improvements offered in the new standard forms for listing, the Committee, with the assistance of the Monitoring Team, is also working towards introducing a new format of the consolidated list, which would improve the presentation and dissemination of the list, facilitate more accurate identification of listed individuals and entities, and provide hyperlinks to the narrative summaries of reasons for listing. The Committee has authorized the Monitoring Team to consult widely on improving the list, including with the private sector and with other national and regional bodies that compile sanctions lists.

Identification of possible cases of non-compliance

16. Pursuant to paragraph 21 of resolution 1735 (2006) and paragraph 32 of resolution 1822 (2008), the Committee remains vigilant for possible cases of non-compliance with the sanctions measures, and stands ready to respond appropriately to any information brought to its attention in that regard.

Committee website

17. The Committee, with the assistance of the Monitoring Team and the secretariat, has continued to work on further improving both the content and functionality of its website. In particular, the main navigation menu was simplified, a site map was introduced in order to offer a better overview of the content, and the search function was enhanced.

18. Additional documents have also been made accessible on the Committee website to assist Member States in implementing their obligations. On 11 September 2009, the Committee approved an "explanation of terms" paper on the assets freeze, which provides relevant definitions with regard to the assets freeze measures. Similar explanation of terms papers had previously been adopted for the travel ban and arms embargo measures. On the same date, the Committee also made available on its website an information package on the work and mandate of the Security Council Al-Qaida and Taliban sanctions Committee, which is intended to provide useful information to States and relevant international organizations implementing the measures.

Requests seeking Committee confirmation of the identity of certain individuals

19. The Committee continued to receive requests from relevant authorities seeking assistance from the Committee in confirming the identity of certain individuals or entities for the purpose of implementing the sanctions measures. The Committee systematically assisted these authorities by providing liaison, through its secretariat, with the designating State(s) in order to seek more identifying information than is available on the consolidated list.

Exemptions to the sanctions measures

20. During the reporting period the Committee, mindful that the Council provided for exemptions to the assets freeze, including for humanitarian purposes, continued to consider notifications and requests for exemptions submitted pursuant to paragraph 1 of resolution 1452 (2002). The Committee secretariat also maintained and regularly updated the list of States that had approached the Committee pursuant to the above-mentioned resolution. In 2009, the Committee received 16 notifications pursuant to paragraph 1 (a) of resolution 1452 (2002), and 1 request pursuant to paragraph 1 (b). No negative decision was taken by the Committee with regard to the 16 notifications pursuant to paragraph 1 (a), and the request pursuant to paragraph 1 (b) was approved. In three cases, authorities notifying the Committee for an exemption to the assets freeze were invited to provide further information in connection with the respective notification.

21. During the reporting period, the Committee also considered two requests for exemptions from the travel ban set out in paragraph 1 (b) of resolution 1822 (2008) and other relevant resolutions, pertaining to three listed individuals. The Committee acceded to the requests with regard to two individuals, and informed the States of departure, transit and destination of the respective travels. In accordance with the Committee guidelines, the approved exemptions were also posted on the Committee website, detailing the duration of the travel. The Committee was also notified of the travel of a listed individual to fulfil a judicial process, in accordance with paragraph 1 (b) of resolution 1822 (2008).

Committee position on the recommendations contained in the ninth and tenth reports of the Monitoring Team

22. On 28 February, the Analytical Support and Sanctions Monitoring Team submitted its ninth report (S/2009/245) to the Committee. In May, June and July, the Committee, in the presence of the Monitoring Team, undertook a detailed consideration of the recommendations contained in the report. The Committee position on the recommendations contained therein was reflected in its report to the Security Council dated 17 August 2009 (S/2009/427). Great attention was paid to the recommendations on how the Committee might improve the fairness and transparency of its procedures.

23. On 31 July, the Monitoring Team submitted its tenth report (S/2009/502). The Committee considered the recommendations contained in the report in the presence of the Monitoring Team during October and November. The Committee position on the recommendations contained therein will be published in a report to the Security Council in due course.

Briefings by the Chairman of the Committee to the Security Council

24. The Chairman, together with the Chairmen of the Committees established pursuant to resolutions 1373 (2001) and 1540 (2004), which also deal with counter-terrorism issues, gave two joint briefings to the Security Council in 2009. The briefings were held on 26 May (see S/PV.6128) and 13 November (see S/PV.6217). In his statements, made pursuant to paragraph 38 of resolution 1822 (2008), the Chairman informed the Council about the current and future activities of the Committee and the Monitoring Team, as well as the current challenges the sanctions regime is facing. The briefings mainly focused on progress made by the Committee in implementing resolution 1822 (2008).

Dialogue with States and outreach

25. Pursuant to paragraph 38 of resolution 1822 (2008), the Chairman of the Committee and the Coordinator of the Monitoring Team gave a briefing that was open to all interested Member States on 1 July 2009. On that occasion, the Chairman described the Committee practice for, and progress in, reviewing the names on the consolidated list pursuant to paragraph 25 of resolution 1822 (2008), and in making accessible on its website narrative summaries of reasons for listing pursuant to paragraph 13 of the same resolution. The briefing included a question-and-answer session, which provided all Member States an opportunity to raise questions and to share comments with the Chairman, as well as with the Monitoring Team and its Coordinator. The next open briefing is scheduled for January 2010 for the purpose of informing the wider membership particularly about the new elements introduced by resolution 1904 (2009).

26. Pursuant to paragraph 14 (a) of the guidelines, the Chairman held two press conferences together with the Coordinator of the Monitoring Team on 14 July and 27 October 2009 on the Committee's work, in particular on the progress made in implementing resolution 1822 (2008).

27. On 9 February, the Committee met with a high-level delegation from Algeria to receive a comprehensive briefing on Algeria's efforts to counter terrorism related to Al-Qaida. The Committee welcomes this kind of dialogue with Member States and wishes to reiterate the open invitation to all Member States to meet with the Committee to discuss relevant issues and to voluntarily brief on implementation efforts.

28. On 28 October, the Committee met with Martin Scheinin, Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism. Mr. Scheinin briefed the Committee on his proposals for improving the sanctions regime, which was followed by a constructive exchange of views on issues related to the fairness and clarity of the Committee's procedures, in particular regarding listing and de-listing.

Visits by the Chairman to selected countries

29. Pursuant to paragraph 37 of resolution 1822 (2008), the Chairman undertook two visits in 2009. On 9 June 2009, upon the invitation of the Russian Federation, he attended a meeting of special services, security agencies and law enforcement organizations held in Irkutsk, Russian Federation. On 8 and 9 October 2009, the Chairman travelled to Brussels, to discuss with officials of European Union

institutions the implementation of the sanctions measures by the European Union and its 27 member States. That visit provided an excellent opportunity to facilitate the exchange between the Committee and the European Union and provided a detailed insight of the challenges the European Union is currently facing following the rulings of the European Court of Justice. At the same time, the visit provided the opportunity to highlight the major improvements that have been made with regard to the procedures of the Committee, in particular in the framework of resolution 1822 (2008). Following the visit to Brussels, the Chairman participated in an international workshop of national counter-terrorism focal points held in Vienna, on 12 and 13 October 2009. Oral and written reports were provided to the Committee upon the Chairman's return. The outcome of the visits was also highlighted in the briefing of the Chairman to the Security Council on 13 November (see S/PV.6217).

Coordination with the Counter-Terrorism Committee and the Committee established pursuant to resolution 1540 (2004) and their respective expert groups

30. On numerous occasions, the members of the Committee have highlighted the complementary functions of the Al-Qaida and Taliban sanctions Committee, the Counter-Terrorism Committee and the Committee established pursuant to resolution 1540 (2004) in countering international terrorism and the need for a continuous cooperation and exchange of information between the three Committees. During the joint briefings to the Security Council on 26 May and 13 November, a common message on cooperation and coordination among the Committees and their expert groups was read out on behalf of the three Chairmen. On the occasion of the 26 May briefing, a comparative table providing information on the distinct and complementary mandates of the three Committees and their respective expert groups was issued and posted on the websites of the three Committees. An updated version of that table was provided at the 13 November briefing. In addition, the three Chairmen jointly participated in the international workshop of national counter-terrorism focal points held in Vienna, on 12 and 13 October 2009.

31. Cooperation between the three Committees is also greatly facilitated by coordinated activities carried out by the Monitoring Team, the Counter-Terrorism Committee Executive Directorate and the experts who support the 1540 Committee to assist Member States in their efforts to comply with their obligations under relevant resolutions, including through the organization of regional and subregional workshops. These activities are described in detail in paragraphs 36 and 39 below. In addition, in resolution 1904 (2009) the Security Council requested the Secretary-General to make the necessary arrangements for the groups to be co-located as soon as possible.

Cooperation with international and regional organizations and agencies

32. In the past year, the Committee also continued to develop its cooperation with international and regional organizations and agencies, often with the support of the Monitoring Team (see also para. 37). In order to provide such organizations with a better idea of the work and mandate of the Committee, an updated information package was approved by the Committee in July and subsequently transmitted by the Monitoring Team to eight organizations and agencies for dissemination to their respective membership.

33. INTERPOL has continued to publish, at the request of the Committee, INTERPOL-Security Council special notices for individuals and entities included in the Committee's consolidated list. As at 31 December, there were 331 special notices for listed individuals and 32 for listed entities on the INTERPOL website. These special notices are distributed to all 187 member countries of INTERPOL with the objective of alerting national law enforcement that an assets freeze, a travel ban and an arms embargo are in place with regard to the targeted individuals and entities (see also para. 41).

34. On 24 November the secretariat briefed the Committee regarding a new supplementary arrangement on cooperation between the United Nations and INTERPOL, signed on 11 October 2009, in relation to Security Council sanctions Committees. Undertaken in pursuance of Security Council resolution 1699 (2006), the new supplementary arrangement offers new tools for enhanced information exchange between the Committee, INTERPOL and the Monitoring Team by providing for, inter alia, direct access to INTERPOL databases to improve the quality of information on the Committee list, and use of the INTERPOL telecommunications network to increase efficiency in the ongoing cooperation on INTERPOL-Security Council special notices. Members expressed support for furthering the Committee's cooperation with INTERPOL under the framework set out in the new supplementary arrangement. The Committee subsequently requested the secretariat to develop, in consultation with INTERPOL, specific procedures for further cooperation, to be considered by the Committee in due course (see also para. 37).

IV. Monitoring Team

35. The Monitoring Team, whose mandate was recently renewed under resolution 1904 (2009) until 30 June 2011, submitted its annual programme of work in January and semi-annual travel plans in January and July, all of which were approved by the Committee. The Team continued to travel to all regions of the world, and had visited 19 Member States by the end of the year, five for the first time. Three of the trips were made jointly with the Counter-Terrorism Committee Executive Directorate, thereby bringing the total number of joint trips with the Directorate to 15 in the three years since the two expert groups started making joint trips. The Coordinator of the Team also accompanied the Chairman on two visits, one to a conference in Irkutsk, Russian Federation, in June 2009, and the other to participate in discussions with European Union institutions in Brussels, as well as to an international workshop of national counter-terrorism focal points in Vienna, in October 2009. The Team also conducted a sanctions workshop in one Member State, at its request, to help relevant officials at all levels improve their implementation of the measures.

36. In April the Team held its seventh meeting for heads and deputy heads of intelligence and security services from Algeria, the Libyan Arab Jamahiriya, Morocco, Pakistan, Saudi Arabia, the United Arab Emirates, Yemen and Tunisia (the last State participating for the first time) and convened its third meeting on Somalia for security services of States such as Kenya, the United Republic of Tanzania, Yemen, Djibouti, Ethiopia and the Sudan. Such meetings continue to provide the Committee, through the Team's participation, with useful feedback and information as to what is happening on the ground and the changes in the threat from Al-Qaida and its associates, and the practical difficulties of implementation.

37. The Team maintained its close cooperation with international and regional organizations and participated in 39 international, regional and subregional meetings, including two in conjunction with its work under the Counter-Terrorism Implementation Task Force. In this regard, the Team met with the Financial Action Task Force, the World Bank, INTERPOL, the European Union, the African Union Centre for the Study and Research of Terrorism and the Organization for Security and Cooperation in Europe. The Team's participation in such meetings allowed Team members to promote a better understanding of the sanctions regime and of the work of the Committee. In addition, the Team actively promoted the Committee's work on listing and de-listing, the review process and the new procedures mandated under resolution 1822 (2008).

38. Recognizing the particular need to coordinate its work with the Counter-Terrorism Committee Executive Directorate and the 1540 Committee expert group, especially in areas where States may feel overburdened by requests for information from the Security Council, the Team has continued to develop and implement, with the Directorate and the 1540 Committee expert group, a common strategy to address problems faced by States that owe reports to the three Committees. The Team has also worked closely with the other two expert groups to develop a common approach to cooperation with relevant international, regional and subregional organizations and United Nations agencies and entities so as to assist States more efficiently and to minimize overlap and duplication. A third common strategy has been proposed by the Team to develop a common approach with the Counter-Terrorism Committee Executive Directorate and the 1540 Committee expert groups to further assist States on issues related to implementation by addressing technical assistance needs. This common strategy proposal is only at the proposal stage and needs to be developed further (see also para. 31).

39. With the Terrorism Prevention Branch of the United Nations Office on Drugs and Crime as facilitator, the three expert groups have held two workshops this year; the first was a workshop for national officials involved in the implementation of relevant Security Council resolutions or responsible for writing reports to the three Committees for Middle East and North African States, and the second was a workshop for Caribbean and Latin American States. These workshops are part of the common strategy to assist States that owe reports to the three Committees and have also proved to be useful forums for the three expert groups to highlight the complementary but distinct roles of the three Committees, as well as to provide information to participating officials on the current status of the work of each Committee. Each of the workshops succeeded in achieving the submission of outstanding reports to each of the three Committees.

40. The Team also continues to play an active role in the Counter-Terrorism Implementation Task Force established to coordinate United Nations system action in respect of the United Nations Global Counter-Terrorism Strategy adopted by the General Assembly on 8 September 2006 (resolution 60/288).

41. The Team has deepened its interaction with INTERPOL in order to better assist the Committee's cooperation with INTERPOL, including through the issuance of INTERPOL-Security Council special notices. It is noted that the Team was mandated under annex I to resolution 1822 (2008) to work with Member States to obtain photographs of listed individuals for possible inclusion in the special notices. These notices currently contain photographs of about 89 listed individuals (as at

December 2009) in the Al-Qaida section and 2 listed individuals in the Taliban section (see also paras. 33-34 above).

42. As mandated under resolution 1822 (2008), the Team submitted its ninth and tenth reports to the Committee on 28 February 2009 (S/2009/245) and 31 July 2009 (S/2009/502), respectively.

43. In addition to providing reports following its trips, the Team also provided feedback on a semi-annual basis to the Committee on the follow-up to each of those trips. For 2009, the Team provided feedback on 17 trips (fifth feedback report) in April and 20 trips (sixth feedback report) in November 2009. The feedback is a useful reminder to allow the Committee to monitor outstanding follow-up action from the Team's trips and any necessary action on the issues raised during such trips.

44. The Team also submitted five papers to the Committee in response to specific requests. These covered issues such as an update on the issue of deceased individuals on the consolidated list; an explanation of terms paper for the assets freeze (thus completing the explanation of terms papers for each of the three sanctions measures); and an updated information package that has been posted on the Committee website for the use of relevant international and regional organizations and for the general public. The Team also provided several statistical papers to elaborate on some of the recommendations in its tenth report, to enable the Committee to have a better understanding of the scope of these issues.

45. The Team has also assisted the Committee in the drafting of the narrative summaries required under paragraph 13 of resolution 1822 (2008). To date, the Team has submitted 203 narrative summaries to the Committee, 155 of which have been posted on the Committee website. In all, the Team has prepared 474 draft narrative summaries of reasons for listing, including 25 narrative summaries for those names listed after the adoption of resolution 1822 (2008) on 30 June 2008, leaving outstanding only 39 draft narrative summaries.

46. The Team has also assisted the Committee with its review of listed names as mandated under paragraph 25 of resolution 1822 (2008), including by providing information inputs on each name being reviewed. Following the conclusion of the review of a name, the Committee considers updating the consolidated list and/or narrative summaries on the basis of the additional information provided during the review, and the Team further assists by providing the revised drafts for such updates. Occasionally during the review process, the need for further clarification or information becomes apparent, and the Committee has also tasked the Monitoring Team to engage with relevant States in an effort to resolve any questions that have arisen.

47. The Team has also continued to work with Member States to improve the quality of the consolidated list and as a result was able to submit new information that led to 102 updates to existing entries.

V. Current issues and future work of the Committee

48. The Committee will continue to devote the greatest attention to the implementation of resolution 1822 (2008), in particular in order to meet the 30 June 2010 deadline for the completion of the review pursuant to paragraph 25 of that

resolution. In this regard, the Committee relies on the cooperation and assistance of concerned States and calls on them to respond to requests from the Committee for information relevant to this review no later than 1 March 2010, in accordance with paragraph 29 of resolution 1904 (2009). The Committee also calls on concerned Member States to submit replies with regard to the publication of narrative summaries of reasons for listing on the Committee website, pursuant to paragraph 14 of resolution 1904 (2009). The Committee will also work towards expeditiously updating its guidelines in the light of the adoption of resolution 1904 (2009).

VI. Observations and conclusions

49. The sanctions measures imposed by the Security Council are an active response by the international community to the continued threat posed by Al-Qaida and the Taliban and their associates. The Committee continues to stand ready, with the support of the Monitoring Team, to assist States in their implementation efforts.

50. The Committee recognizes that ensuring fair and clear procedures for placing individuals and entities on the consolidated list and for removing them, as well as for granting humanitarian exemptions, can help States avoid and overcome challenges to their implementation of the sanctions measures. This is why the Committee has strived to conduct the review of the consolidated list called for in paragraph 25 of resolution 1822 (2008) in a comprehensive and thorough manner. This exercise has served to refocus the commitment and energy of reviewing States that have very effectively responded to this enormous task. The review exercise has directly resulted both in de-listings and in improvements in the quality of entries for certain individuals and entities whose listing was deemed to remain appropriate.

51. The Committee also welcomes the adoption of resolution 1904 (2009) by the Security Council providing for the appointment of an impartial and independent Ombudsperson, in order to assist the Committee in the consideration of de-listing requests. The Committee intends to promptly revise its guidelines to take this important development into account, and to reflect in its procedures the other improvements to the regime introduced by resolution 1904 (2009), so that it might further assist States in the implementation of the Council's sanctions measures.

Appendix

Additions to and removals from the consolidated list of individuals and entities belonging to or associated with Al-Qaida and the Taliban in 2009

A. Individuals added

Date	*Name*	*Press release*
4 February	Ibrahim Abdul Salam Mohamed Boyasseer (QI.A.267.09.)	SC/9591 6 February
15 April	Abdul Haq (QI.H.268.09.)	SC/9636 16 April
27 May	Bekkay Harrach (QI.H.269.09.)	SC/9667 28 May
18 June	Atilla Selek (QI.S.270.09.)	SC/9687 19 June
29 June	Arif Qasmani (QI.Q.271.09.)	SC/9695 29 June
	Mohammed Yahya Mujahid (QI.M.272.09.)	
	Fazeel-a-Tul Shaykh abu Mohammed Ameen al-Peshawari (QI.A.273.09.)	

B. Individuals removed

Date	*Name*	*Press release*
20 July	Nabil Abdul Salam Sayadi	SC/9711 21 July
	Patricia Rosa Vinck	
10 August	Mustapha Nasri ben Abdul Kader Ait el Hadi	SC/9729 11 August
10 August	Ali Ghaleb Himmat	SC/9730 11 August
23 September	Youssef Mustapha Nada Ebada	SC/9744 23 September
3 December	Zia Mohammad	SC/9806 7 December

C. Entities removed

Date	*Name*	*Press release*
22 October	Bank Al Taqwa Limited	SC/9773 22 October
	Nada Management Organization SA	
	Barakaat International	
	Barakaat International Foundation	